

Serial No. 10/026,796

Docket No. P-0310

Amendment dated January 18, 2006

Reply to Office Action of September 20, 2005

REMARKS

Initially, in the Office Action dated September 20, 2005, the Examiner has objected to the disclosure because of informalities. Further, the Examiner has rejected claims 1-3, 6-9, 11, 14, 15, and 17-19 under 35 U.S.C. §102(b) as being anticipated by Applicant's disclosure in pages 1-5 and Figure 2 of the specification. The Examiner indicates that claims 4, 5, 10, 12, 13, 16, and 20 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

By the present response, Applicant has canceled claims 5, 13, 16 and 20 without disclaimer. Moreover, Applicant has amended claims 1-4, 9, 15 and 19 to further clarify the invention. Claims 1-4, 6-12, 14, 15 and 17-19 remain pending in the present application.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 4, 5, 10, 12, 13, 16, and 20 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Specification Objections

The disclosure has been objected to because of informalities. Applicant has amended the specification to further clarify the invention and respectfully request that these objections be withdrawn.

35 U.S.C. §102 Rejections

Claims 1-3, 6-9, 11, 14, 15, and 17-19 have been rejected under 35 U.S.C. §102(b) as being anticipated by Applicant's disclosure in pages 1-5 and Figure 2 of the specification. Applicant respectfully traverses these rejections.

Regarding claims 1, 9, and 15, Applicant submits that these claims have been amended to incorporate the subject matter of claims 5, 13, 16, and 20, respectively, deemed allowable by the Examiner. Therefore, since these claims now contain allowable subject matter, these claims are now patentable over the Examiner's assertions.

Regarding claims 2, 3, 6-8, 11, 14, 17, and 18, Applicant submits that these claims are dependent one of independent claims 1, 9, and 15 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims. For example, Applicant submits that the portions cited by the Examiner do not disclose or suggest where the multiplexing message is generated for each subscriber call disrupted by a faulty one of the plurality of specialized resources, or where the state information includes specialized resource number information, indicating the number of specialized resources supported by the corresponding module, and a specialized resource state bitmap indicating a state of each of the specialized resources supported by the corresponding module.

Accordingly, Applicant submits that the cited portions by the Examiner do not disclose or suggest the limitations in the combination of each of claims 1-3, 6-9, 11, 14, 15, and 17-19 of

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the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that claims 1-4, 6-12, 14, 15, and 17-19 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, Frederick D. Bailey, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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